IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA)			
	Plaintiff,) 8:10CR316)	
	vs.) DETENTION ORDER	
VI	CTORIA ZOLTOWSKI,		
	Defendant.	}	
A.	After waiving a detention hearing pursuant to 18 U.S.C. § 3142(f) of the Bail Reform Act on August 24, 2010, the Court orders the above-named defendant detained pursuant to 18 U.S.C. § 3142(e) and (i).		
B.	 Statement Of Reasons For The Detention The Court orders the defendant's detention because it finds: X By a preponderance of the evidence that no condition or combination of conditions will reasonably assure the appearance of the defendant as required. X By clear and convincing evidence that no condition or combination of conditions will reasonably assure the safety of any other person or the community. 		
C.	contained in the Pretrial Services Report, X (1) Nature and circumstances of t X (a) The crime: a conspirate distribute methampheta 846 carries a minimum maximum of forty years distribute methampheta of twenty years imprisor (b) The offense is a crime of (c) The offense involves a wit:	he offense charged: cy to distribute and possess with intent to amine (Count I) in violation of 21 U.S.C. § sentence of five years imprisonment and a imprisonment; the possession with intent to mine (Count II) carries a maximum sentence nment. of violence. narcotic drug. large amount of controlled substances, to	
	may affect whe The defendant X The defendant X The defendant The defendant The defendant ties. Past conduct o X The defendant The defendant The defendant The defendant	appears to have a mental condition which other the defendant will appear. has no family ties in the area. has no steady employment. has no substantial financial resources. is not a long time resident of the community. It does not have any significant community of the defendant: has a history relating to drug abuse. has a history relating to alcohol abuse. has a significant prior criminal record. It has a prior record of failure to appear at	

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`´ Pı	of the current arrest, the defendant was on: obation
R	arole elease pending trial, sentence, appeal or completion of entence.
(c) Other Fact	
`´ TI	ne defendant is an illegal alien and is subject to eportation.
TI	ne defendant is a legal alien and will be subject to eportation if convicted.
TI (B	ne Bureau of Immigration and Custom Enforcement ICE) has placed a detainer with the U.S. Marshal.
	seriousness of the danger posed by the defendant's lows: The nature of the charges in the Indictment.
X (5) Rebuttable Pres	
on the following	at the defendant should be detained, the Court also relied rebuttable presumption(s) contained in 18 U.S.C. §
	e Court finds the defendant has not rebutted: condition or combination of conditions will reasonably
	appearance of the defendant as required and the safety
	r person and the community because the Court finds that
the crime i	
) A crime of violence; or) An offense for which the maximum penalty is life
(2	imprisonment or death; or
<u>X</u> (3) A controlled substance violation which has a maximum
	penalty of 10 years or more; or
(4	A felony after the defendant had been convicted of two
	or more prior offenses described in (1) through (3)
	above, <u>and</u> the defendant has a prior conviction for one of the crimes mentioned in (1) through (3) above
	which is less than five years old and which was
	committed while the defendant was on pretrial release.
	condition or combination of conditions will reasonably
	appearance of the defendant as required and the safety
	munity because the Court finds that there is probable
cause to b	
<u>X</u> (1) That the defendant has committed a controlled substance violation which has a maximum penalty of
	10 years or more.
(2) That the defendant has committed an offense under 18
	U.S.C. § 924(c) (uses or carries a firearm during and
	in relation to any crime of violence, including a crime of
	violence, which provides for an enhanced punishment
	if committed by the use of a deadly or dangerous weapon or device).
	weapon or device).

D. Additional Directives

Pursuant to 18 U.S.C. § 3142(i)(2)-(4), the Court directs that:

1. The defendant be committed to the custody of the Attorney General for confinement in a corrections facility separate, to the extent practicable from

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- persons awaiting or serving sentences or being held in custody pending appeal; and
- 2. The defendant be afforded reasonable opportunity for private consultation with counsel; and
- 3. That, on order of a court of the United States, or on request of an attorney for the government, the person in charge of the corrections facility in which the defendant is confined deliver the defendant to a United States Marshal for the purpose of an appearance in connection with a court proceeding.

DATED: August 24, 2010.

BY THE COURT:

s/Thomas D. Thalken United States Magistrate Judge